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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/099,902	03/13/2002	Matti Salmi	944-001.064	3630
4955 7590 10/18/2007 WARE FRESSOLA VAN DER SLUYS & ADOLPHSON, LLP BRADFORD GREEN, BUILDING 5 755 MAIN STREET, P O BOX 224 MONROE, CT 06468			EXAMINER BILGRAMI, ASGHAR H	
			ART UNIT 2143	PAPER NUMBER
			MAIL DATE 10/18/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

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<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/099,902	SALMI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Asghar Bilgrami	2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 20 August 2007.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-64 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-64 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 13 March 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)          | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)          | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____  | 6) <input type="checkbox"/> Other: _____                          |

*[Handwritten signature]*

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-64 rejected under 35 U.S.C. 103(a) as being unpatentable over Desai et al (U.S. 6,820,204 B1) and Tornabene et al (U.S. Pub. No. 2002/0023132 A1).

2. As per claims 22, 42 & 63 Desai disclosed presence information service management method for use by a server capable of communicating with plurality of users through their respective clients, wherein the presence information is requested or provided in primitives, said method comprising (col.5, lines 13-23): receiving an authorize presence primitive from an authorizing user authorizing access to selected presence information of said authorizing user (col.3, lines 42-67, col.4, lines 1-7 & col.18, lines 63-64), receiving an update primitive from an updating user, wherein said update presence primitive include one or more presence values to be updated (col.3, lines 45-49) , receiving a get presence primitive from a requesting user for requesting presence information of a requested user, to which a response including requested presence information is required or receiving a subscription presence primitive from a

user for requesting presence information of the requested user, to which on going responses including requested presence information are required, determining if access to said presence information of the requested user has been authorized or pre-authorized and, if not, requesting authorization from the requested user, and if authorized or pre-authorized, providing a presence primitive including said requested presence information of the requested user to the requesting, or info primitives including providing requested presence information on an on-going basis to said subscribing user, particularly after receiving an update of said presence information from said requested user (col.4, lines 44-61). However Desai did not explicitly disclose wherein the presence information comprises one or more presence attributes, the values of the attributes indicating presence status of a user or a client of the user at the time the presence information is provided. In the same field of endeavor Tornabene disclosed wherein the presence information comprises one or more presence attributes, the values of the attributes indicating presence status of a user or a client of the user at the time the presence information is provided (paragraphs. 21 & 72).

It would have been obvious to one in the ordinary skill in the art at the time the invention was made to have incorporated one or more presence attributes indicating the status of a user as disclosed by Tornabene in the presence information service management method as disclosed by Desai in order to keep the track of the users on the network resulting in a robust network that portrays accurate information about the users in the network.

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Additionally to elaborate on the claim interpretation, the terms used in the claims such “authorize presence primitive”, “update presence primitive”, “get presence primitive” and “presence info primitive” are simply message commands used to conduct respective functionalities with respect to “presence primitive” (information related to the user profile). Also in addition, it is widely common for communications (to include voice/video/data) in an electronic network environment to be transmitted in the form of packets, datagrams or frames etc. For example, TCP/IP is a well-known communication protocol having a header that contains source and destination addresses along with additional fields that contain unique information about the transmitted packet.

Applicant on page 2, lines 20-21 of the specification states: “a data structure including a plurality of primitives, ...”. Also it is common for a data structure to have plurality of fields (primitives), which relate to specific information regarding the user for example, name, address, phone number, e-mail address etc (please see Desai, col.9, lines 1-18 & col.17, lines 43-67).

3. As per claims 1, 2, 18-21 & 62 Desai-Tornabene disclosed a data structure of claim 63 wherein the primitive is a get presence primitive provided by a client of a requesting user to a server to request presence information of a requested user, that the get presence primitive has various information elements including a requesting user identifier, a requested user identifier, and a list of presence values requested, and wherein the response to the get presence primitive a presence info primitive is provided by the server to the client of the requesting user, and that the presence info primitive

has various information elements including the requested user identifier and a list of presence values supplied (col.3, lines 42-67 & col.4, lines 1-5)

4. As per claims 6, 27 & 47 Desai-Tornabene disclosed the data structure of claim 63, wherein said presence attributes are is classifiable in any one or more of the following: client reachability, user availability, user personal status, user or client location, and client capabilities (Tornabene, paragraphs 21 & 72).

5. As per claims 23 & 43 Desai-Tornabene disclosed the presence information service management method of claim 22, wherein each of said presence information request messages comprises a primitive having various mandatory information elements including a message identifier, a transaction identifier, and an identification of a requested user (Desai, col.4, lines 44-61).

6. As per claims 17, 24 & 44 Desai-Tornabene disclosed the presence information service management method of claim 22, wherein said presence attributes are classifiable in any one or more of the following: client reachability, user availability, user personal status, user or client location, and client capabilities (Tornabene, paragraphs 21 & 72).

7. As per claims 4, 25 & 45 Desai-Tornabene disclosed the presence information service management method of claim 22, wherein said step of requesting authorization

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from a requested user is carried out by means of an authorization message comprising a primitive having various mandatory information elements including a message identifier, an authorization request transaction identifier, a requesting user identifier and a list of presence values (Desai, col.3, lines 42-67 & col.4, lines 1-5).

8. A per claims 5, 8, 26 & 46 Desai-Tornabene disclosed the presence information service management method of claim 22 wherein presence information is authorized by means of said authorization messages from authorizing users each comprising an authorization primitive having various mandatory information elements including a message identifier, an authorization request transaction identifier, a requesting user identifier, and a list of presence values (Desai, col.3, lines 42-67 & col.4, lines 1-5).

9. As per claims 3, 28 & 48 Desai-Tornabene disclosed the presence information service management method of claim 22, wherein a buddy list user maintains one or more buddy lists on a server for sending messages to one or more recipient users separately or to a whole buddy list, wherein the recipient users are not necessarily aware of the buddy list and cannot refer to the buddy list with any replies they make, and said buddy list user maintaining one or more buddy lists on said server is able to access buddy list presence information (Tornabene, paragraphs.84 & 86)

10. As per claims 9-11, 13, 29 & 49 Desai-Tornabene disclosed the presence information service management method of claim 22, further comprising receiving join

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group primitives from member users joining a private user group, by presence primitives indicative of presence information of member users of said private user group to each member user upon joining said private user group but not after departing, and by providing group left primitives indicative of departed member users to remaining private user group member users upon receipt of leave group primitives indicative of said departing member users (Tornabene, paragraphs.76 & 85)

11. As per claims 30 & 50 Desai-Tornabene disclosed the presence information service management method of claim 29, wherein member users are joined by said step of joining only if said join group message is preceded by a step of providing an invitation to join primitive to said joining member user (Tornabene, paragraphs.76 & 85).

12. As per claims 12, 31 & 51 Desai-Tornabene disclosed the presence information service management method of claim 22, further comprising receiving a create group primitive from a member user creating a user group, said create group primitive having information elements indicative of identification of a client used by the user creating the user group, identification of the member user creating the user group, and a list of member users of the user group, by reporting to the member users with a group information primitive indicative of establishment of the user group and selected group information, and by permitting member users of the user group to interchange message primitives (Tornabene, paragraphs.58, 76 & 85).



13. As per claims 32 & 52 Desai-Tornabene disclosed the method of claim 31, further comprising receiving a request for group information from a requesting member user, and reporting to the requesting member user with a group information primitive indicative of selected group information (Desai, col.3, lines 42-67 & col.4, lines 1-5).

14. As per claims 16, 33 & 53 Desai-Tornabene disclosed the method of claim 31, further comprising: receiving a request to modify said user group from a requesting member user, and reporting to the requesting member user with a group information primitive indicative of selected group information (Desai, col.3, lines 42-67 & col.4, lines 1-5).

15. As per claims 14, 34 & 54 Desai-Tornabene disclosed the method of claim 31, further comprising receiving a request to delete said user group from a requesting member user, and by reporting to the member users with a status primitive indicative of disestablishment of said user group (Desai, col.3, lines 42-67 & col.4, lines 1-5).

16. As per claims 35 & 55 Desai-Tornabene disclosed the presence information service management method of claim 22, further comprising receiving a store content primitive from a storing user and storing any content conveyed in a content information element of said content primitive along with or according to information elements identifying said store content primitive, a store transaction, a storing user, a storing

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client used by said storing user, a group, properties of said content, and a header of said content, providing a content information primitive to member users in said group having information elements identifying said content information primitive, said store transaction, and said header, receiving a get content information primitive from a retrieving user in said group having information elements identifying said get content primitive, a retrieval transaction, the retrieving user, a retrieving client used by said retrieving user, and said group, and providing a receive content primitive to said retrieving user having information elements identifying said receive content primitive, said retrieval transaction, said group, said content, said header of said content, and having an information element containing shared content for storing among said member users (Desai, col.3, lines 42-67, col.4, lines 1-5 & col.8, lines 42-67)

17. As per claims 36 & 56 Desai-Tornabene disclosed the method of claim 29, further comprising: receiving a delete content primitive from a deleting user having information elements identifying said delete content primitive, a delete transaction, the deleting user, a deleting client used by said deleting user, said group, and content for deletion, and deleting said shared content (Desai, col.24, lines 3-19).

18. As per claims 37 & 57 Desai-Tornabene disclosed the presence information service management method of claim 22, further comprising: providing a content information primitive to a notified user from a server having information elements identifying said content information primitive, a store transaction, and a header,

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receiving a get content information primitive from said notified user having information elements identifying said get content primitive, a retrieval transaction, and said notified user, and providing a receive content primitive from said server to said notified client having information elements identifying said receive content primitive, said retrieval transaction, said header, and having an information element containing shared content (Desai, col.3, lines 42-67 & col.4, lines 1-5)

19. As per claims 15, 38 & 58 Desai-Tornabene disclosed the method of claim 34 for adding to said shared content at said server by a storing user, further comprising: receiving a store content primitive at said server having content in an information element thereof for said adding to said shared content along with or according to information elements identifying said store content primitive, a store transaction, the storing user and a header (Desai, col.3, lines 35-67 & col.4, lines 1-67).

20. As per claims 39 & 59 Desai-Tornabene disclosed the method of claim 37 for deleting from said shared content at said server by a deleting user, further comprising: receiving a delete content primitive from said deleting user at said server, said primitive having information elements identifying said delete content primitive, a delete transaction, the deleting user and content for deletion (Desai, col.24, lines 3-19).

21. As per claims 8, 40 & 60 Desai-Tornabene disclosed the presence information service management method of claim 22, further comprising an exception management

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method for use in exception handling of a transaction by a user or server in responding to a request by said server or said user, respectively, said exception management method comprising: providing a status primitive in said responding to said request for indicating success or failure of said transaction as well as further information contained in information elements of said status primitive, and receiving said status primitive in said requesting server or said requesting user for recognizing said indication of success or failure (Tornabene, paragraph.72 & 76).

22. As per claims 41 & 61 Desai-Tornabene disclosed the method of claim 40, wherein said information elements include a message identifier, a transaction identifier, and a status value indicative of said success or failure (Tornabene, paragraph.72 & 76).

23. As per claim 18 Desai-Tornabene disclosed a device having means for at least temporarily storing a data structure for transmission or reception, wherein said data structure is according to claim 63 (Desai, col.17, lines 43-67).

24. As per claim 19 Desai-Tornabene disclosed a system having at least one server able to communicate with a plurality of devices, wherein a communication protocol is used between the at least one server and the plurality of devices with a data structure according to claim 63 (col.33, lines 7-28).

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25. As per claim 20 Desai-Tornabene disclosed the system of claim 19, wherein said presence values have associated space and time information useable by said at least one server to modify said presence values or related presence values (Desai, col.3, lines 35-67 & col.4, lines 1-67).

26. As per claim 21 Desai-Tornabene disclosed the system of claim 20, wherein said presence values have a validity attribute associated to said space and time information (Desai, col.3, lines 35-67 & col.4, lines 1-67).

27. As per claim 64 Desai-Tornabene disclosed the data structure of claim 63, wherein the primitive is a invite group primitive by inviting client of an inviting user to one or more invited used, the invite group primitive has various information elements including an inviting identifier, an inviting client identifier, a list of one or more users invited to a group, and an identifier of said group (Tornabene, paragraph.76).

### ***Response to Arguments***

28. Applicant's arguments and amendments with respect to claims 1-64 have been considered but are moot in view of the new ground(s) of rejection.

***Conclusion***

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 571-272-3907. The examiner can normally be reached on 9-5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 571-272-3924. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

  
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